

REMARKS - General

By the above amendment, Applicants have amended the title to emphasize the novelty of the invention.

Applicant contends that while the Bansai patent, U.S. Patent number 6,804,805 does contemplate a card concept it does not have the novel and unique function and features of Applicant's invention. It does not address the group gift and contribution process of Applicant's invention. The Applicant's process outlined in the application for inviting "signers" and their donations is different and superior to Bansai. The applicant's process maximizes the viral aspect of the model through the whole system which does not even come up in other referenced applications. The other referenced patents, in Applicant's opinion, do not come close to the tightly integrated approach of Applicant's groupcards where others get invited to sign and contribute to a group gift.

The Ganesan patent application, U.S. Patent Application No. 2002/0087427 is a one-to-one card offered with cash. Applicant contends that this is not a good comparison to the Applicant's invention, since the system is for a single giver to a single receiver. The applicant contends that Ganesan is not proper art against the Applicant's patent. The Applicant's priority date of the provisional patent application 60277956 of March 23, 2001 is prior to the Ganesan filing date of May 8, 2001. Section 35 U.S.C. 103 (a) states that " A patent may not be obtained though the invention is not identically disclosed or described as set forth in **section 102** of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains." Since Ganesan's application's filing date does not predate the Applicant's priority date of March 23, 2001 it is not a proper 103(a) prior art reference. In actually, the Applicant's application should be a prior art reference to Ganesan since the Applicant's invention was made prior to Ganesan filing date. With Ganesan removed as a reference, Claims 21 and 31 should be allowed as well as all dependent claims as per Examiner's comments Bansai fails to teach having said sender select a gift; where said sender can make a contribution to said gift; having the system notify the invitees of the gift by E-mail which has an

embedded URL address; having said sender apply the contributions towards the purchase of said electronic gift by clicking said URL address in said E-mail; where said sender can change said gift to match the amount of contributions and forwarding said electronic greeting and said gift to a plurality of receivers selected by said sender. Claims 22 and 32 should be allowed as their rejection is based solely on Ganesan.

The Nelsen patent application, U.S. Patent Application No. 2002/0042775 has a focus on a gift registry system and Applicant's process is far superior in a group gift tied to a group card than that which is put forth in the Nelsen patent application. Applicant contends that Nelsen was filed October 10, 2001 based on a priority date of October 10, 2000. This priority date is only six months prior to the priority date of Applicant's application. Since provisional patent applications are not published Applicant contends that Nelsen is not a proper prior art reference because the art was not well known in the industry at the time of the Applicant's invention was made. Without Nelsen as a reference, Claims 21 and 31 and all dependant claims should be allowed.

The Lomangino Patent Application, U.S. Patent Application 2002/0052756, deals specifically with donation exchange and not tying that exchange to an electronic card. Applicant's invention and process of tying contributions from a number of persons is novel and unique and non-obvious over the Lomangino application as it is a completely different concept. This priority date is only six months prior to the priority date of Applicant's application. Since provisional patent applications are not published Applicant contends that Lomangino is not a proper prior art reference because the art was not well known in the industry at the time of the Applicant's invention was made. Without Lomangino as a reference, Claims 26 and 36 should be allowed.

Applicant contends that it was not appropriate to combine Bansai, Ganesan, Nelsen and Lomangio patents and patent application as this would not normally be done by someone skilled in the arts. It is an

inappropriate combining of references for the Section 103(a) rejection. The Lomangio patent has nothing to do with the sending and receiving of electronic greetings. It deals specifically with donation exchange and not tying that exchange to an electronic card. It would not be obvious to someone skilled in the art to combine the Lomangio patent application with the other references. The classification for Lomangio is 705/1 which is for "AUTOMATED ELECTRICAL FINANCIAL OR BUSINESS PRACTICE OR MANAGEMENT ARRANGEMENT" which is a completely different classification than the other references. Bansai's classification is "Synchronization of diverse media" in "DATA PROCESSING: PRESENTATION PROCESSING OF DOCUMENT, OPERATOR INTERFACE PROCESSING, AND SCREEN SAVER DISPLAY PROCESSING." Therefore Claims 26 and 36 should be allowed.

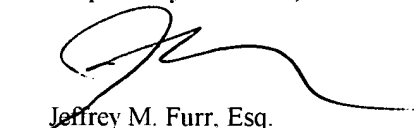
Applicant again contends that the current invention is not obvious to one skilled in the art based on the extreme marketability of the current invention. Applicant has had a lot of commercial success solely based on licensing the current invention involving products of large well know companies. The Application attached a Section 1.132 Affidavit as well as additional evidence to support this claim to the prior Response.

Applicants have rewritten all claims to define the invention more particularly and distinctly so as to overcome the technical rejections and define the invention patentably over the prior art.

Conclusion

For all of the above reasons, applicant submits that the specification and claims are now in proper form, and that the claims all define patentably over prior art. Therefore the applicant submits that this application is now in condition for allowance, which action is respectfully solicited.

Respectfully submitted,



Jeffrey M. Furr, Esq.
Registration No. 38,146

App. No. 10/063,108

I hereby certify that on the date below this document and referenced attachments, if any, will be deposited with the U.S. Postal Service as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450."

May 23, 2006

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a series of loops and a final flourish, positioned above a horizontal line.

Jeffrey M. Furr, Esq.
Registration No. 38,146